CCRB INVESTIGATIVE RECOMMENDATION

Investigator:		Team:	CCRB Case #:	$\overline{\mathbf{V}}$	Force	$\overline{\mathbf{V}}$	Discourt.		U.S.
Ethan Waterman		Squad #14	202002440	√	Abuse	$\overline{\checkmark}$	O.L.		Injury
T. 11 (D) ()		10.14	To gov					I	•
Incident Date(s)		18 Mo. SOL	EO SOL		ation of			Pred	einet:
Tuesday 03/31/2020 3:50 PM		09-30-2021	05-04-2022	79	th Preci	nct sta	tionhouse		79
Date/Time CV Reported		CV Reported At: How CV Reported: Date/Time Re			ne Reco	ceived at CCRB			
Tue, 03/31/2020 7:25 PM		CCRB	On-line website		Tue, 03/31/2020 7:25 PM				
Complainant/Victim	Type	Home Addr	ess						
1. N S	Comp/V	Victim Willoughby Avenue Apt Brooklyn NY 11206							
2. C H	Victim	- · · · · · · · · · · · · · · · · · · ·							
3. A N	Comp/V	Victim Willoughby Avenue Apt. Brooklyn NY 11206							
Witness(es) Home Address									
1. Dom Pulaski Street Brooklyn NY 11221									
2. Xa H Deerfield Road Far Rockaway NY 11691									
3. A C H		Deerfie	eld Road Far Rocka	away	/ NY 11	691			
Subject Officer(s)	Shield	TaxID	Command						
1. SGT E									
2. SGT Akil Guy	03541	954274	079 PCT						
Officer(s)	Allegati	on			Inv	vestiga	ator Reco	mmei	ndation
A . SGT Akil Guy	Abuse of his shield	f Authority: Sergeant Ald number to C	kil Guy refused to pro	ovid	e A.	Unsu	ıbstantiate	d	
B. SGT B	Force: Se		l physical force agair	ıst	В.	Unsu	ıbstantiate	d	
C . SGT Akil Guy	Discourt N S	Discourtesy: Sergeant Akil Guy spoke discourteously to			C .	C. Unfounded			
D . SGT Akil Guy	Offensive Language: Sergeant Akil Guy made remarks to N S based upon ethnicity.			D.	D. Unfounded				
E . SGT Akil Guy	Offensiv N S	Offensive Language: Sergeant Akil Guy made remarks to Name Supplements based upon the gender of Name Supplements.			Е.	E . Unfounded			
F. SGT Akil Guy	Other Possible Misconduct Noted: Sergeant Akil Guy improperly used his body-worn camera according to Patrol Guide Procedure 212-123.					onduct			

Case Summary
On March 31, 2020, New Signature of filed this complaint via the CCRB's online website on
behalf of herself and her boyfriend, C H On the same day, Ms. S sister, A
New called the CCRB and filed a duplicate of this complaint in which she also identified herself
as a victim.
On March 31, 2020, at approximately 3:50 p.m., C H and his sister, Dom
He went to the 79 th Precinct stationhouse in Brooklyn to retrieve property vouchered during a
previous arrest. Care Harm after interacting with Sergeant Akil Guy of 79 th Precinct, pulled out
his phone and said to Sgt. Guy, "I'm going to need your badge number," which Sgt. Guy allegedly
did not provide (Allegation A: Abuse of Authority, unsubstantiated). Sgt. Guy, with the

brother, entered the stationhouse and spoke with officers and thereafter left. Approximately 30 minutes later, at 4:40 p.m., Ms. New and Ms. See went to the 79th Precinct stationhouse to obtain more information about C Harris status. Sergeant E of the 79th Precinct then once pushed Ms. New as she stood in the vestibule of the stationhouse (Allegation B: Force, unsubstantiated). Ms. N and Ms. S then left the stationhouse.

assistance of other officers, arrested C H for allegedly recording on his phone while inside

the precinct stationhouse. Ms. H then left the stationhouse. Xa H C

Ms. Same and her boyfriend's sister-in-law, A Care Harm returned to the stationhouse at approximately 4:55 p.m., as Ms. S wished to retrieve her vouchered property from a previous arrest. Ms. S spoke with Sgt. Guy, who allegedly told her to "shut the fuck up" and called her a "dumbass" and "black bitch" (Allegation C: Discourtesy, unfounded) (Allegations D-E: Offensive Language, unfounded). Ms. Same and Mrs. Care Harris then left the stationhouse.

Sgt. Guy did not activate his body-worn camera (BWC) while he assisted in C arrest (Allegation F: Other Misconduct).

C was arrested for criminal trespass in the third degree and two counts of disorderly conduct (BR 01). Per the Office of Court Administration (OCA), Compared to the Court Administration case was adjourned in contemplation of dismissal on October 13, 2020 (BR $0\overline{2}$).

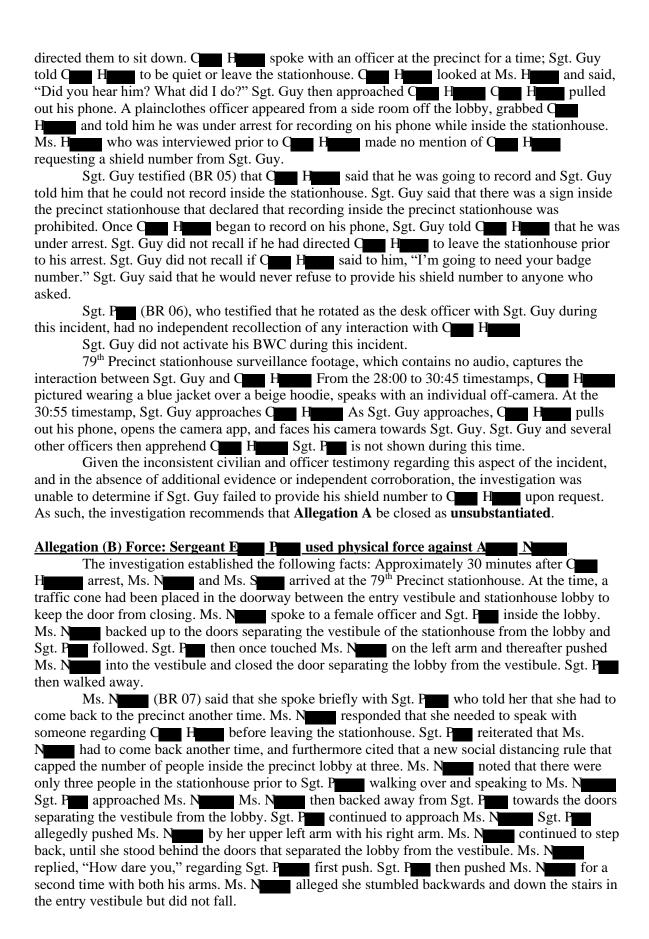
The CCRB received BWC footage from Police Officer McCartney Forbes of the 79th Precinct, which captured C H arrest processing and thus did not capture any of the alleged FADOs. The CCRB also received surveillance footage from the 79th Precinct stationhouse, the relevant aspects of which are discussed below.

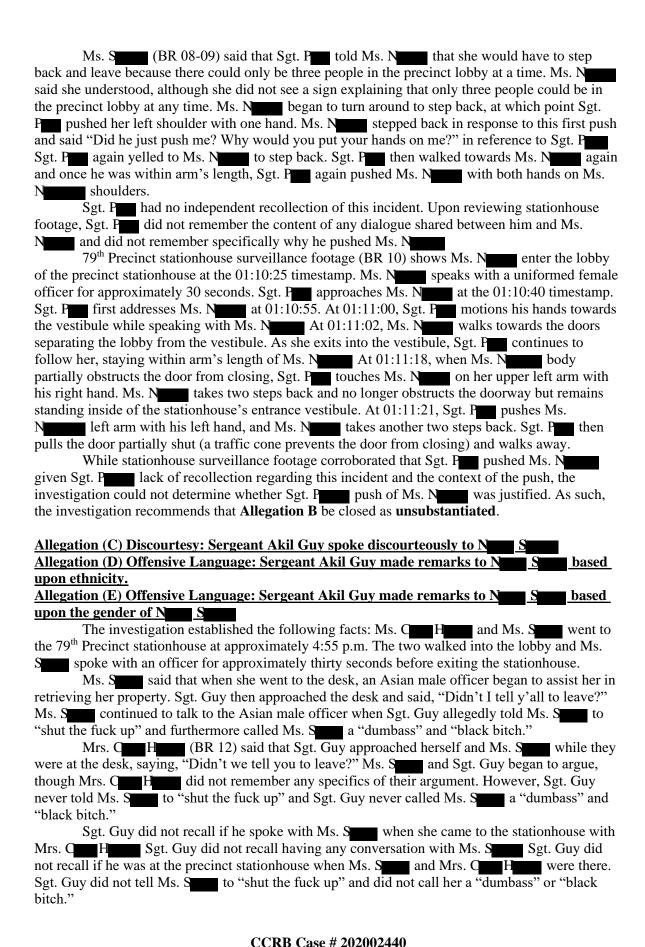
Findings and Recommendations

Allegation (A) Abuse of Authority: Sergeant Akil Guy refused to provide his shield number to Η

The investigation established the following facts: Case Harm and Ms. Harm went to the 79th Precinct stationhouse in Brooklyn to retrieve their property following their arrests ten days prior. Upon their arrival, C H spoke with officers in the lobby for several minutes. After approximately 10 minutes, Sgt. Guy approached C H Officers, including Sgt. Guy, surrounded C H and handcuffed him.

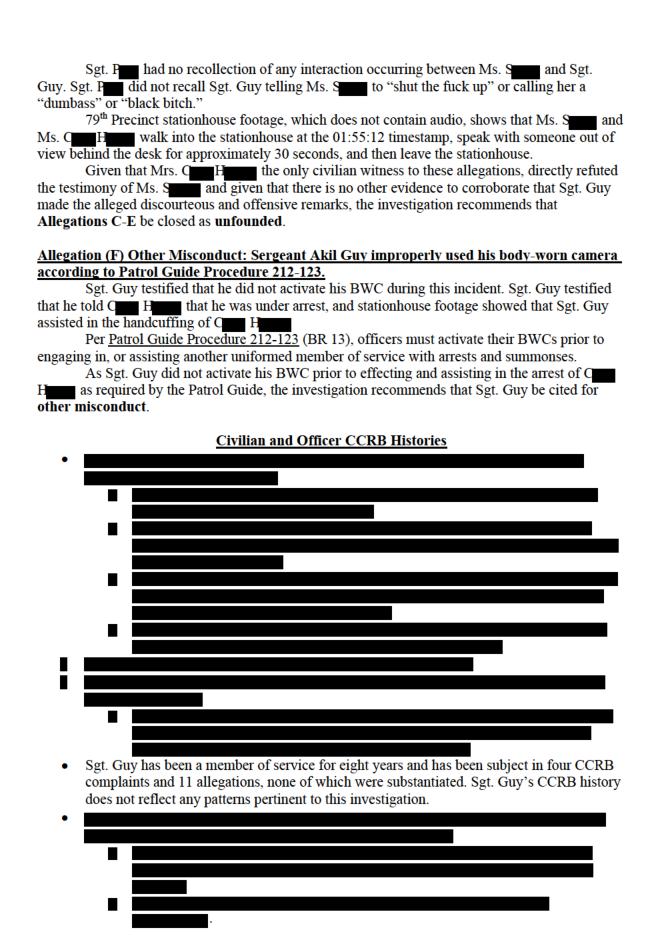
C said (BR 03) that he was sitting in the stationhouse and talking to an officer when Sgt. Guy told him to stop talking. Sgt. Guy then allegedly told C H to exit the precinct stationhouse. Come Harm stood up and began to walk towards the exit. Sgt. Guy walked around the main desk towards C H at this point, C H pulled out his phone to document Sgt. Guy's shield number and said to Sgt. Guy, "I'm going to need your badge number." As Comme Hammal only took out his phone to make note of Sgt. Guy's shield number, and thus did not record, an interference with video recording allegation was not pled. Another officer said, "He's recording. Arrest him," in regard to C H H told officers that he was not recording. Sgt. Guy did not provide his shield number to Care Harman (BR 04) said that when she and Care Harman went to the stationhouse, Sgt. Guy





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Mediation, Civil and Criminal Histories

		New York City Office of the C	
Notice •	of Claim being filed reg	arding this complaint (BR 17).	
Squad No.:	14		
Investigator:	Ethan C. Waterman Signature	Inv. Ethan Waterman Print Title & Name	February 26, 2021 Date
Squad Leader:	Casssandra Fenkel Signature	IM Cassandra Fenkel Print Title & Name	March 1, 2021 Date
Reviewer:	Signature	Print Title & Name	 Date